

REFERENCE TITLE: sentencing; second degree murder

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

HB 2316

Introduced by
Representatives Driggs: Barto, Crandall, Crump, Goodale, Murphy, Senator
Gray L

AN ACT

AMENDING SECTION 13-710, ARIZONA REVISED STATUTES; RELATING TO SENTENCING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 13-710, Arizona Revised Statutes, is amended to
3 read:

4 13-710. Sentence for second degree murder
5 A. Except as provided in section 13-705 or section 13-706, subsection
6 A, a person who is convicted of second degree murder as defined by section
7 13-1104 shall be sentenced as follows:

<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
10 CALENDAR years	16 CALENDAR years	22 CALENDAR years

8 B. Except as provided in section 13-704 or section 13-706, subsection
9 A, a person who is convicted of second degree murder as defined by section
10 13-1104 and who has previously been convicted of second degree murder or a
11 class 2 or 3 felony involving the use or exhibition of a deadly weapon or
12 dangerous instrument or the intentional or knowing infliction of serious
13 physical injury on another shall be sentenced as follows:

<u>Minimum</u>	<u>Presumptive</u>	<u>Maximum</u>
15 CALENDAR years	20 CALENDAR years	25 CALENDAR years

14 C. The presumptive term imposed pursuant to subsections A and B of
15 this section may be mitigated or aggravated pursuant to section 13-701,
16 subsections D and E.

17 Sec. 2. Emergency

18 This act is an emergency measure that is necessary to preserve the
19 public peace, health or safety and is operative immediately as provided by
20 law.